

FISH & RICHARDSON P.C.

Michael Headley (CSB No. 220834)  
headley@fr.com  
500 Arguello Street, Suite 500  
Redwood City, CA 94063  
Tel: (650) 839-5070 Fax: (650) 839-5071

Of Counsel:

Christopher O. Green (*pro hac vice pending*)  
cgreen@fr.com  
Noah C. Graubart (*pro hac vice pending*)  
graubart@fr.com  
Lawrence Jarvis (*pro hac vice pending*)  
jarvis@fr.com  
1180 Peachtree Street, 21<sup>st</sup> Floor  
Atlanta, GA 30309  
Tel: (404) 892-5005 Fax: (404) 892-5002

Attorneys for Plaintiffs  
ARRIS ENTERPRISES LLC and ARRIS SOLUTIONS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARRIS ENTERPRISES LLC and  
ARRIS SOLUTIONS, INC.

Plaintiffs,

v.

SONY INTERACTIVE ENTERTAINMENT  
LLC;  
SONY INTERACTIVE ENTERTAINMENT  
AMERICA LLC;  
SONY INTERACTIVE ENTERTAINMENT,  
INC.;  
SONY CORPORATION OF AMERICA;  
SONY MOBILE COMMUNICATIONS (USA),  
INC.;  
SONY ELECTRONICS INC.

Defendants.

Case No.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

1 Plaintiffs ARRIS Solutions, Inc. and ARRIS Enterprises LLC (collectively, “ARRIS”), by  
 2 and through its attorneys, Fish & Richardson P.C., bring this complaint against Sony Interactive  
 3 Entertainment LLC, Sony Interactive Entertainment America LLC, Sony Interactive Entertainment,  
 4 Inc., Sony Electronics Inc., Sony Corporation of America, and Sony Mobile Communications  
 5 (USA), Inc. (collectively, “Defendants” or “Sony”). In support thereof, ARRIS alleges the  
 6 following:

### 7 **NATURE OF ACTION**

8 1. This is an action for patent infringement arising under the patent laws of the United  
 9 States, 35 U.S.C. § 1 et seq., specifically including 35 U.S.C. § 271.

### 10 **THE PARTIES**

11 2. ARRIS is a corporation organized under the laws of the State of Delaware, with a  
 12 principal place of business at 3871 Lakefield Drive, Suwanee, Georgia 30024.

13 3. Sony Interactive Entertainment LLC is a limited liability company organized under  
 14 the laws of the State of California, with a principal place of business at 2207 Bridgepointe Pkwy.,  
 15 San Mateo, CA 94404. Sony Interactive Entertainment LLC may be served through its registered  
 16 agent for service, Corporation Service Company, d/b/a CSC – Lawyers Incorporating Service, 2710  
 17 Gateway Oaks Dr., Ste. 150N, Sacramento, CA 95833.

18 4. Sony Interactive Entertainment America LLC is a limited liability company  
 19 organized under the laws of the State of Delaware, with a principal place of business at 2207  
 20 Bridgepointe Pkwy., San Mateo, CA 94404. Sony Interactive Entertainment America LLC may be  
 21 served through its registered agent for service, Corporation Service Company, d/b/a CSC – Lawyers  
 22 Incorporating Service, 2710 Gateway Oaks Dr., Ste. 150N, Sacramento, CA 95833.

23 5. Sony Interactive Entertainment, Inc., is a corporation organized under the laws of the  
 24 State of Delaware, with headquarters located in Japan and San Mateo, California. Sony Interactive  
 25 Entertainment, Inc. may be served through its registered agent for service, Corporation Service  
 26 Company, 2711 Centerville Rd., Suite 400, Wilmington, DE 19808.

27 6. Sony Electronics Inc. is a corporation organized under the laws of Delaware with a  
 28 principal place of business located at 16535 Via Esprillo, San Diego, CA 92127. Sony Electronics

1 Inc. may be served through its registered agent for service, Corporation Service Company, d/b/a  
2 CSC – Lawyers Incorporating Service, 2710 Gateway Oaks Dr., Ste. 150N, Sacramento, CA 95833.

3 7. Sony Corporation of America is a corporation organized under the laws of the State  
4 of New York, with headquarters located at 25 Madison Ave., New York, NY, 10010-8601. Sony  
5 Corporation of America may be served through its registered agents for service, Corporation  
6 Service Company, d/b/a CSC – Lawyers Incorporating Service, 2710 Gateway Oaks Dr., Ste. 150N,  
7 Sacramento, CA 95833.

8 8. Sony Mobile Communications (USA), Inc., f/k/a Sony Ericsson Mobile, is a  
9 corporation organized under the laws of the State of Delaware, with its principal place of business  
10 located at 2207 Bridgepointe Pkwy, San Mateo, CA, 94404, USA. Sony Mobile Communications  
11 (USA), Inc. may be served through its registered agent for service, Capitol Corporate Services, Inc.,  
12 455 Capitol Mall Complex, Ste. 217, Sacramento, CA 95814.

### 13 JURISDICTION AND VENUE

14 9. ARRIS hereby restates and re-alleges the allegations set forth in paragraphs 1  
15 through 8 above as if fully set forth herein.

16 10. This Court has subject matter jurisdiction over this action under 28 U.S.C. § 1331  
17 (jurisdiction over federal questions) and 28 U.S.C. § 1338(a) (jurisdiction over civil actions arising  
18 under any Act of Congress relating to patents).

19 11. Sony Interactive Entertainment LLC, Sony Interactive Entertainment America LLC,  
20 Sony Interactive Entertainment, Inc., Sony Corporation of America, Sony Electronics, Inc., and  
21 Sony Mobile Communications (USA), Inc. transact and conduct business in this District and the  
22 State of California, and are subject to the personal jurisdiction of this Court.

23 12. For example, the Court has at least general personal jurisdiction over Sony  
24 Interactive Entertainment LLC because Sony Interactive Entertainment LLC is organized under the  
25 laws of the State of California and has its principal place of business in San Mateo, California.

26 13. By way of further example, the Court has at least general personal jurisdiction over  
27 Sony Interactive Entertainment America LLC because its principal place of business is in San  
28 Mateo, California.

1           14. By way of further example, the Court has at least general personal jurisdiction over  
2 Sony Electronics Inc. because its principal place of business is in San Diego, California.

3           15. By way of further example, the Court has at least general personal jurisdiction over  
4 Sony Mobile Communications (USA), Inc. because its principal place of business is in San Mateo,  
5 California.

6           16. By way of further example, the Court has at least general personal jurisdiction over  
7 Sony Interactive Entertainment, Inc. because it has a principal place of business in San Mateo,  
8 California.

9           17. By way of further example, the Court has at least specific personal jurisdiction over  
10 Sony Interactive Entertainment, Inc. pursuant to due process and the California Long Arm Statute,  
11 due at least to its continuous business contacts in the State of California and in this District,  
12 including committing acts of patent infringement within the State of California and this District, as  
13 alleged below. Sony Interactive Entertainment, Inc. has also purposefully directed its business  
14 activities to this State and this District. Sony Interactive Entertainment, Inc., directly or through  
15 intermediaries (including distributors, retailers, and others) ships, distributes, offers for sale, sells,  
16 and advertises its products infringing the asserted patents, described below, in the United States, the  
17 State of California, and this District. Sony Interactive Entertainment, Inc. also aids, abets, or  
18 contributes to the infringement of third parties in this District.

19           18. By way of further example, the Court has specific personal jurisdiction over Sony  
20 Corporation of America pursuant to due process and the California Long Arm Statute, due at least  
21 to its continuous business contacts in the State of California and in this District, including  
22 committing acts of patent infringement within the State of California and this District, as alleged  
23 below. Sony Corporation of America has also purposefully directed its business activities to this  
24 District. Sony Corporation of America, directly or through intermediaries (including distributors,  
25 retailers, and others) ships, distributes, offers for sale, sells, and advertises its products infringing  
26 the asserted patents, described below, in the United States, the State of California, and this District.  
27 Sony Corporation of America also aids, abets, or contributes to the infringement of third parties in  
28 this District.

19. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and/or 1400.

**THE PATENTS-IN-SUIT**

20. U.S. Patent No. 6,138,147 (“the ’147 patent”), titled “Method and Apparatus for Implementing Seamless Playback of Continuous Media Feeds,” was issued by the United States Patent and Trademark Office on October 24, 2000. ARRIS Solutions, Inc. and Alcatel Lucent, a corporation established and existing under the laws of France, are co-owners by assignment of the entire right, title, and interest in and to the ’147 patent. ARRIS Solutions, Inc. possesses the sole, exclusive, and undivided right to sue for infringement and collect damages for past and future infringement by Sony. A true and correct copy of the ’147 patent is attached hereto as Exhibit A.

21. U.S. Patent No. 7,107,532 (“the ’532 patent”), titled “System and Method for Focused Navigation within a User Interface,” was issued by the United States Patent and Trademark Office on September 12, 2006. ARRIS Enterprises LLC is the owner by assignment of the entire right, title, and interest in and to the ’532 patent, including the sole and undivided right to sue for infringement and collect damages for past and future infringement. A true and correct copy of the ’532 patent is attached hereto as Exhibit B.

22. U.S. Patent No. 8,300,156 (“the ’156 patent”), titled “Remote Control Device with Integrated Display Screen for Controlling a Digital Video Recorder,” was issued by the United States Patent and Trademark Office on October 30, 2012. ARRIS Enterprises LLC is the owner by assignment of the entire right, title, and interest in and to the ’156 patent, including the sole and undivided right to sue for infringement and collect damages for past and future infringement. A true and correct copy of the ’156 patent is attached hereto as Exhibit C.

23. U.S. Patent No. 7,113,502 (“the ’502 patent”), titled “Communication Management System and Method,” was issued by the United States Patent and Trademark Office on September 26, 2006. ARRIS Enterprises LLC is the owner by assignment of the entire right, title, and interest in and to the ’502 patent, including the sole and undivided right to sue for infringement and collect damages for past and future infringement. A true and correct copy of the ’502 patent is attached hereto as Exhibit D.

24. The '147 patent, '156 patent, '532 patent, and the '502 patent, are herein collectively referred to as the "Patents-in-Suit."

### **FACTUAL BACKGROUND**

#### **ARRIS IS A GLOBAL INNOVATOR IN VIDEO TECHNOLOGY**

25. ARRIS is a global innovator in IP, video and broadband technology, and in particular, the development of equipment for video delivery and devices for displaying video. ARRIS's innovations combine hardware, software, and services across the cloud, network, and home to power TV and Internet. Specifically, ARRIS develops, manufactures, and sells end-to-end equipment solutions for video delivery and display (*e.g.*, content delivery and acquisition, video infrastructure, delivery networks, and end user devices) that are purchased by various enterprises, which in turn offer television, video, broadband, and/or wireless Internet service, to their customers or use it internally in their businesses.

#### **SONY'S INFRINGING PRODUCTS**

26. Sony's PlayStation Vue is an over-the-top Internet television service that includes a cloud-based digital video recorder ("DVR"), on-demand video capability, and transmission of live video over the Internet. PlayStation Vue is compatible with various devices including PlayStation consoles, Amazon Fire TV, Roku, Android TV, Apple TV, iOS mobile devices, Android mobile devices, and Google Chromecast. Sony additionally provides PlayStation Vue Mobile applications for iOS and/or Android devices, which allows users to, *e.g.*, access PlayStation Vue via mobile devices.

27. Sony's PlayStation Vue infringes the '147 patent, '156 patent, and '502 patent, as described in more detail below.

28. Sony develops, manufactures, and supplies videogame consoles, laptops, televisions, mobile phones, and Blu-Ray Disc and DVD players. These devices include without limitation at least the following: Sony PlayStation 3, PlayStation Portable, PlayStation Portable Go, Sony VAIO laptops, Sony BRAVIA televisions, Sony Ericsson mobile phones, such as K850, Sony Blu-Ray Disc and DVD players, and other such devices that incorporate Sony's XrossMediaBar user interface (and versions thereof) ("Sony's Accused XrossMediaBar Products"). Sony's Accused

XrossMediaBar Products each contain user interfaces that infringe the '532 patent, as described in more detail below.

**COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,138,147**

29. ARRIS hereby restates and re-alleges the allegations set forth in paragraphs 1 through 28 above as if fully set forth herein.

30. The '147 patent is directed to “a method and apparatus for processing audio-visual information, and more specifically, to a method and apparatus for providing non-sequential access to audio-visual information represented in a live content stream.” '147 patent, 1:27-31.

31. Sony infringes one or more claims of the '147 patent, either literally or under the doctrine of equivalents, including at least Claim 1. Sony makes, uses, sells, offers to sell, and/or imports into the United States the PlayStation Vue service, which meets each and every limitation of at least Claim 1 of the '147 patent, without ARRIS's license or authority. Non-limiting examples of such infringement are provided below, based on the limited information currently available to ARRIS.

32. Claim 1 of the '147 patent recites as follows:

1. A method for storing a continuous feed of video, the method comprising the steps of:

receiving a digital data stream produced by encoding said continuous feed in a digital video format;

creating a series of content files by repeatedly performing the steps of:

storing said digital data stream in a current file; and

establishing a new file as said current file when said current file satisfies a predetermined condition;

if said series of content files contains more than a predetermined amount of said continuous feed, then deleting an oldest content file in said series of content files.

33. On information and belief, the accused Sony PlayStation Vue service satisfies each and every limitation of at least Claim 1. Sony's PlayStation Vue stores a continuous feed of video. PlayStation Vue receives a digital data stream produced by encoding said continuous feed in a digital video format. For example, Sony PlayStation Vue's FAQ indicates that it streams “live TV,



movies and sports.” *FAQ*, PLAYSTATION VUE, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017) (emphasis in original). On information and belief, Sony receives such video as a digital data stream encoded in a continuous feed in a digital video format. PlayStation Vue includes “Live TV,” “Catch Up,” and/or “MyShows” features that receive from, *e.g.*, content providers, and store a digital data stream produced by encoding a continuous feed of video in a digital video format, *e.g.*, as described below. *Id.*

#### — What is PlayStation™Vue?

PlayStation™Vue is a TV service that streams live TV, movies, and sports on a variety of your favorite [devices](#) without a cable or satellite subscription. With powerful features that allow you to save thousands of hours of your favorite shows without recording conflicts, and Premium channels that can be purchased individually or with a multi-channel plan, TV has never been the same. No annual contracts, no conflicts, no problems.

Note: Channels availability, pricing, and supported devices are subject to change. Some availability may vary by location.

#### — What are some Key Features of PlayStation™Vue?

Note: Location and availability of some features, including DVR or My Shows functionality, may vary by device and channel.

- **My Shows:** Add your favorites to “My Shows” and automatically save and store newly aired episodes to the cloud for up to 28 days. We’ll even sort them for you in a personalized list. You won’t need to worry if multiple shows are airing at the same time or whether you’ve got space to record another episode. Add content to “My Shows” by selecting the [+] icon, or hitting R1 on PlayStation® Consoles. Note: My Shows “DVR” programming availability will vary by channel, individual program, and service location.
- **Explore:** When you don’t know what to watch, “Explore” is the best place to start. With adaptive filters to help you quickly discover programming, you can sort by genre, rating, length and more. The Explore tool can be found in the toolbar on top of the Home screen.
- **Favorite Channels:** Tag the channels you love and see them front and center. Favorite Channels will appear first in your Guide and on the Home screen. Never scroll through hundreds of channels again to get to what you want.
- **Timeline:** Not only can you easily enjoy Live TV on PlayStation™Vue, but we’ll create a simple, personalized list of what you’re currently watching, what you’ve previously watched, and what’s on next, right on your Home Screen.
- **Quick Nav:** Looking to jump to the last channel? Want to access My Shows or the Guide without returning to your home screen? How about a fast way to discover or search for content in the middle of a program? With Quick Nav, you’ll have immediate access to the most important PlayStation™Vue features at the touch of a button. On PS4 and PS3 controllers, just hold the triangle button down until the Quick Nav appears. On Amazon Fire TV devices, hold the Menu button.
- **Second Screen Viewing:** Once you have signed up for PlayStation™Vue, you can also enjoy second screen viewing of select channels in and out of the home with PlayStation™Vue Mobile. In addition, you can cast directly to your Television via Google Chromecast, and use a variety of TV-Connected devices. For full details, please see our [Supported Device FAQs](#).

#### — Can I record/DVR live TV programs?

Yes! By adding your favorite shows to “My Shows”, you will automatically save them for up to 28 days after they air. On Demand content added to “My Shows” will be saved for varying amounts of time.

Note: Some “On-Demand” and “DVR” programming availability will vary by channel, individual program, and service location.

34. On information and belief, PlayStation Vue creates a series of content files by repeatedly performing the steps of: storing said digital data stream in a current file; and establishing a new file as said current file when said current file satisfies a predetermined condition. For example, PlayStation Vue’s “Catch Up” feature provides the ability to “catch up” on popular programming within the past three days from a show’s first live airing, indicating the existence of a current file (*e.g.*, the most recently aired/broadcast), and up to three days of past files (*e.g.*, prior program airings), *e.g.*, as described below. *PlayStation™Vue Internet-Based Live TV Service Expands Nationwide; Prices in New Markets Start at \$29.99*,



1 <https://www.sie.com/en/corporate/release/2016/160315.html> (last visited Feb. 23, 2017); *FAQ*,  
 2 PLAYSTATION VUE, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 23,  
 3 2017).

4 The nationwide expansion gives more consumers a better option to watch popular live and on-demand TV content using PlayStation Vue's innovative streaming  
 5 features – putting the audience in control of their viewing experience.

- 6 • **Cloud DVR** – With an unmatched cloud DVR, users can record hundreds of shows at once with conflict-free recording. Thousands of hours of content can be  
 stored on PlayStation Vue's cloud DVR, offering 10 times more storage than any DVR in the market today.
- 7 • **Simultaneous Streaming** – With a single PlayStation Vue subscription, users can simultaneously stream content across different devices.
- 8 • **Powerful Interface** – The intuitive interface seamlessly blends live and on-demand content and puts top programming front and center. It also offers powerful  
 search and discovery tools, as well as the ability to “catch up” on popular programming within the past three days from a show's first live airing.

9 — How do I find "On-Demand" shows and movies?

10 With PlayStation™Vue you can stream tons of great On-Demand shows and movies. By selecting any show or channel, you'll have access to all available  
 programming, whether it's available through "DVR", "Catch Up", or "On-Demand."

11 35. PlayStation Vue further includes a “My Shows” feature that can be used to capture  
 12 and store a continuous feed of video into a digital video format, whereby each show is stored as a  
 13 content file / current file, *e.g.*, as described below. *FAQ*, PLAYSTATION VUE,  
 14 <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017).

15 — What are some Key Features of PlayStation™Vue?

16 Note: Location and availability of some features, including DVR or My Shows functionality, may vary by device and channel.

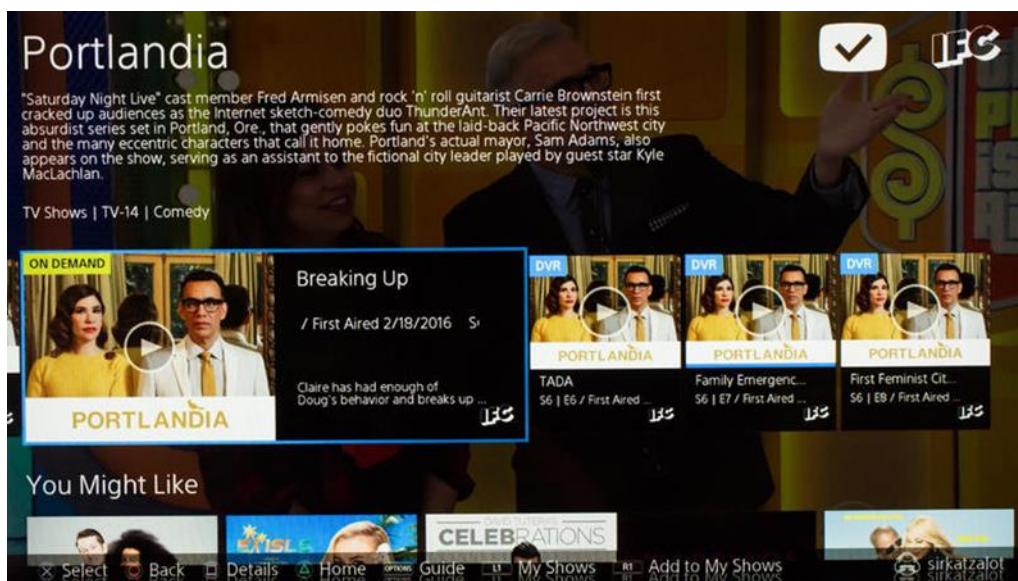
- 17 • **My Shows**: Add your favorites to “My Shows” and automatically save and store newly aired episodes to the cloud for up to 28 days. We'll even sort them  
 for you in a personalized list. You won't need to worry if multiple shows are airing at the same time or whether you've got space to record another  
 episode. Add content to “My Shows” by selecting the [+] icon, or hitting R1 on PlayStation® Consoles. Note: My Shows "DVR" programming availability will  
 vary by channel, individual program, and service location.
- 18 • **Explore**: When you don't know what to watch, “Explore” is the best place to start. With adaptive filters to help you quickly discover programming, you  
 can sort by genre, rating, length and more. The Explore tool can be found in the toolbar on top of the Home screen.
- 19 • **Favorite Channels**: Tag the channels you love and see them front and center. Favorite Channels will appear first in your Guide and on the Home screen.  
 Never scroll through hundreds of channels again to get to what you want.
- 20 • **Timeline**: Not only can you easily enjoy Live TV on PlayStation™Vue, but we'll create a simple, personalized list of what you're currently watching, what  
 you've previously watched, and what's on next, right on your Home Screen.
- 21 • **Quick Nav**: Looking to jump to the last channel? Want to access My Shows or the Guide without returning to your home screen? How about a fast way to  
 discover or search for content in the middle of a program? With Quick Nav, you'll have immediate access to the most important PlayStation™Vue  
 features at the touch of a button. On PS4 and PS3 controllers, just hold the triangle button down until the Quick Nav appears. On Amazon Fire TV devices,  
 hold the Menu button.
- 22 • **Second Screen Viewing**: Once you have signed up for PlayStation™Vue, you can also enjoy second screen viewing of select channels in and out of the  
 home with PlayStation™Vue Mobile. In addition, you can cast directly to your Television via Google Chromecast, and use a variety of TV-Connected  
 devices. For full details, please see our [Supported Device FAQs](#).

23 36. PlayStation Vue's “My Shows” feature is further organized hierarchically, such that  
 24 the newest aired episode is identified as the current file, and the user can scroll backward through  
 25 the interface to view older recorded episodes, *e.g.*, as displayed below. *FAQ*, PLAYSTATION  
 26 VUE, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017); *Sony*  
 27 *PlayStation Vue Review*, CNET, <https://www.cnet.com/products/sony-playstation-vue/2/> (last  
 28 visited Feb. 23, 2017).

— Can I record/DVR live TV programs?

Yes! By adding your favorite shows to "My Shows", you will automatically save them for up to 28 days after they air. On Demand content added to "My Shows" will be saved for varying amounts of time.

**Note:** Some "On-Demand" and "DVR" programming availability will vary by channel, individual program, and service location.



37. When a program has been added in in "MyShows" (e.g., a predetermined condition) in advance of the program airing, a "new file" is created, which becomes the current file, e.g., as is described played below. *FAQ, PLAYSTATION VUE*, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017).

— What are some Key Features of PlayStation™Vue?

**Note:** Location and availability of some features, including DVR or My Shows functionality, may vary by device and channel.

- **My Shows:** Add your favorites to "My Shows" and automatically save and store newly aired episodes to the cloud for up to 28 days. We'll even sort them for you in a personalized list. You won't need to worry if multiple shows are airing at the same time or whether you've got space to record another episode. Add content to "My Shows" by selecting the [+] icon, or hitting R1 on PlayStation® Consoles. **Note:** My Shows "DVR" programming availability will vary by channel, individual program, and service location.
- **Explore:** When you don't know what to watch, "Explore" is the best place to start. With adaptive filters to help you quickly discover programming, you can sort by genre, rating, length and more. The Explore tool can be found in the toolbar on top of the Home screen.
- **Favorite Channels:** Tag the channels you love and see them front and center. Favorite Channels will appear first in your Guide and on the Home screen. Never scroll through hundreds of channels again to get to what you want.
- **Timeline:** Not only can you easily enjoy Live TV on PlayStation™Vue, but we'll create a simple, personalized list of what you're currently watching, what you've previously watched, and what's on next, right on your Home Screen.
- **Quick Nav:** Looking to jump to the last channel? Want to access My Shows or the Guide without returning to your home screen? How about a fast way to discover or search for content in the middle of a program? With Quick Nav, you'll have immediate access to the most important PlayStation™Vue features at the touch of a button. On PS4 and PS3 controllers, just hold the triangle button down until the Quick Nav appears. On Amazon Fire TV devices, hold the Menu button.
- **Second Screen Viewing:** Once you have signed up for PlayStation™Vue, you can also enjoy second screen viewing of select channels in and out of the home with PlayStation™Vue Mobile. In addition, you can cast directly to your Television via Google Chromecast, and use a variety of TV-Connected devices. For full details, please see our [Supported Device FAQs](#).

— Can I record/DVR live TV programs?

Yes! By adding your favorite shows to "My Shows", you will automatically save them for up to 28 days after they air. On Demand content added to "My Shows" will be saved for varying amounts of time.

**Note:** Some "On-Demand" and "DVR" programming availability will vary by channel, individual program, and service location.

38. On information and belief, if said series of content files contains more than a predetermined amount of said continuous feed, then the accused Sony PlayStation Vue service deletes an oldest content file in a said series of content files. For example, shows added under “My Shows” are only saved for a specific amount of time, after which the oldest content file is deleted, *e.g.*, as described below). *Id.*

— Can I record/DVR live TV programs?

Yes! By adding your favorite shows to “My Shows”, you will automatically save them for up to 28 days after they air. On Demand content added to “My Shows” will be saved for varying amounts of time.

Note: Some “On-Demand” and “DVR” programming availability will vary by channel, individual program, and service location.

39. As an additional example, the “Catch Up” feature saves certain programs for up to three days, *e.g.*, as described below. *PlayStation™ Vue Internet-Based Live TV Service Expands Nationwide; Prices in New Markets Start at \$29.99*, <https://www.sie.com/en/corporate/release/2016/160315.html> (last visited Feb. 23, 2017).

The nationwide expansion gives more consumers a better option to watch popular live and on-demand TV content using PlayStation Vue's innovative streaming features – putting the audience in control of their viewing experience.

- **Cloud DVR** – With an unmatched cloud DVR, users can record hundreds of shows at once with conflict-free recording. Thousands of hours of content can be stored on PlayStation Vue's cloud DVR, offering 10 times more storage than any DVR in the market today.
- **Simultaneous Streaming** – With a single PlayStation Vue subscription, users can simultaneously stream content across different devices.
- **Powerful Interface** – The intuitive interface seamlessly blends live and on-demand content and puts top programming front and center. It also offers powerful search and discovery tools, as well as the ability to “catch up” on popular programming within the past three days from a show's first live airing.

40. In view of the foregoing, Sony's PlayStation Vue service directly infringes the '147 patent in violation of 35 U.S.C. § 271(a).

41. Sony has knowledge of the '147 patent at least as of filing and/or service of this complaint. Since at least as early as the filing and/or service of this complaint, Sony's infringement has been willful.

42. Despite Sony's knowledge of and notice of the '147 patent and its ongoing infringement, Sony continues to manufacture, use, sell, offer for sale, and/or import PlayStation Vue and/or one or more components thereof in a manner that infringes the '147 patent, and continues to produce and disseminate promotional and marketing materials, supporting materials, instructions, and/or technical information related to the infringing aspects of PlayStation Vue. Sony lacks a justifiable belief that it does not infringe the '147 patent, or that the '147 patent is invalid, and has acted recklessly in its infringing activity, justifying an increase in the damages to be

1 awarded ARRIS up to three times the amount found or assessed, in accordance with 35 U.S.C. §  
2 284.

3 43. At least Sony's willful infringement of the '147 patent renders this case an  
4 exceptional case, justifying an award to ARRIS of its reasonable attorneys' fees, in accordance with  
5 35 U.S.C. § 285.

6 44. ARRIS has no adequate remedy at law for Sony's acts of infringement. As a direct  
7 and proximate result of Sony's acts of infringement, ARRIS has suffered and continues to suffer  
8 damages and irreparable harm. Unless Sony's acts of infringement are enjoined by this Court,  
9 ARRIS will continue to be damaged and irreparably harmed.

## 10 **COUNT II: INFRINGEMENT OF U.S. PATENT NO. 8,300,156**

11 45. ARRIS hereby restates and re-alleges the allegations set forth in paragraphs 1  
12 through 28 above as if fully set forth herein.

13 46. The '156 patent is directed to "[a] remote control for a digital video recorder [that]  
14 includes an integrated display screen configured to display a recording list including programs  
15 scheduled to be recorded." '156 patent, Abstract. The '156 patent "relates to a remote control  
16 device with an integrated display screen for controlling a digital video recorder." '156 patent, 1:25-  
17 27.

18 47. Sony infringes one or more claims of the '156 patent, either literally or under the  
19 doctrine of equivalents, including at least Claim 1. Sony makes, uses, sells, offers to sell, and/or  
20 imports into the United States the PlayStation Vue service and/or Sony's PlayStation Vue Mobile  
21 App for iOS and/or Android, which meet each and every limitation of at least Claim 1 of the '156  
22 patent, without ARRIS's license or authority. Non-limiting examples of such infringement are  
23 provided below, based on the information currently available to ARRIS.

24 48. Claim 1 of the '156 patent recites as follows:

25 1. A remote control device for a digital video recorder, the remote control  
26 device comprising:

27 a wireless receiver for receiving a play list from the digital video  
28 recorder, the play list comprising television programs previously recorded  
by the digital video recorder;



an integrated display screen for displaying the play list to a user;

a plurality of user controls for controlling the digital video recorder, at least one user control for receiving a selection of a television program from the play list displayed on the integrated display screen; and

a wireless transmitter for transmitting an indication of the selected television program to initiate playback of the selected television program.

49. Sony's PlayStation Vue service in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android satisfies each and every limitation of at least Claim 1. Sony's PlayStation Vue in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android provides users with a remote control device for a digital video recorder. For example, PlayStation Vue includes a "MyShows" feature that allows recording video content, *e.g.*, as described below. *FAQ*, PLAYSTATION VUE, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017).

#### What is PlayStation™Vue?

PlayStation™Vue is a TV service that streams live TV, movies, and sports on a variety of your favorite devices without a cable or satellite subscription. With powerful features that allow you to save thousands of hours of your favorite shows without recording conflicts, and Premium channels that can be purchased individually or with a multi-channel plan, TV has never been the same. No annual contracts, no conflicts, no problems.

Note: Channels availability, pricing, and supported devices are subject to change. Some availability may vary by location.

#### What are some Key Features of PlayStation™Vue?

Note: Location and availability of some features, including DVR or My Shows functionality, may vary by device and channel.

- **My Shows:** Add your favorites to "My Shows" and automatically save and store newly aired episodes to the cloud for up to 28 days. We'll even sort them for you in a personalized list. You won't need to worry if multiple shows are airing at the same time or whether you've got space to record another episode. Add content to "My Shows" by selecting the [+] icon, or hitting R1 on PlayStation® Consoles. Note: My Shows "DVR" programming availability will vary by channel, individual program, and service location.
- **Explore:** When you don't know what to watch, "Explore" is the best place to start. With adaptive filters to help you quickly discover programming, you can sort by genre, rating, length and more. The Explore tool can be found in the toolbar on top of the Home screen.
- **Favorite Channels:** Tag the channels you love and see them front and center. Favorite Channels will appear first in your Guide and on the Home screen. Never scroll through hundreds of channels again to get to what you want.
- **Timeline:** Not only can you easily enjoy Live TV on PlayStation™Vue, but we'll create a simple, personalized list of what you're currently watching, what you've previously watched, and what's on next, right on your Home Screen.
- **Quick Nav:** Looking to jump to the last channel? Want to access My Shows or the Guide without returning to your home screen? How about a fast way to discover or search for content in the middle of a program? With Quick Nav, you'll have immediate access to the most important PlayStation™Vue features at the touch of a button. On PS4 and PS3 controllers, just hold the triangle button down until the Quick Nav appears. On Amazon Fire TV devices, hold the Menu button.
- **Second Screen Viewing:** Once you have signed up for PlayStation™Vue, you can also enjoy second screen viewing of select channels in and out of the home with PlayStation™Vue Mobile. In addition, you can cast directly to your Television via Google Chromecast, and use a variety of TV-Connected devices. For full details, please see our [Supported Device FAQs](#).

50. Sony's PlayStation Vue service may be accessed remotely via Sony's PlayStation Vue Mobile App for iOS and/or Android, *e.g.*, as displayed below. *Id.*; *Sony PlayStation Vue Review*, CNET, <https://www.cnet.com/products/sony-playstation-vue/2/> (last visited Feb. 23, 2017); *Sony Adds Sub-Profile Creation to PlayStation Vue Mobile*, ANDROID HEADLINES,

<https://www.androidheadlines.com/2017/02/sony-adds-sub-profile-creation-playstation-vue-mobile.html> (last visited Mar. 2, 2017).

#### What iOS models support PlayStation™Vue Mobile?

You can install PlayStation™Vue Mobile on iPad Mini 1<sup>st</sup> Gen or later, iPad 2 or later running iOS 7.0 or iOS 8.0, iPhone 5 or later, iPod Touch 4<sup>th</sup> Gen or later.

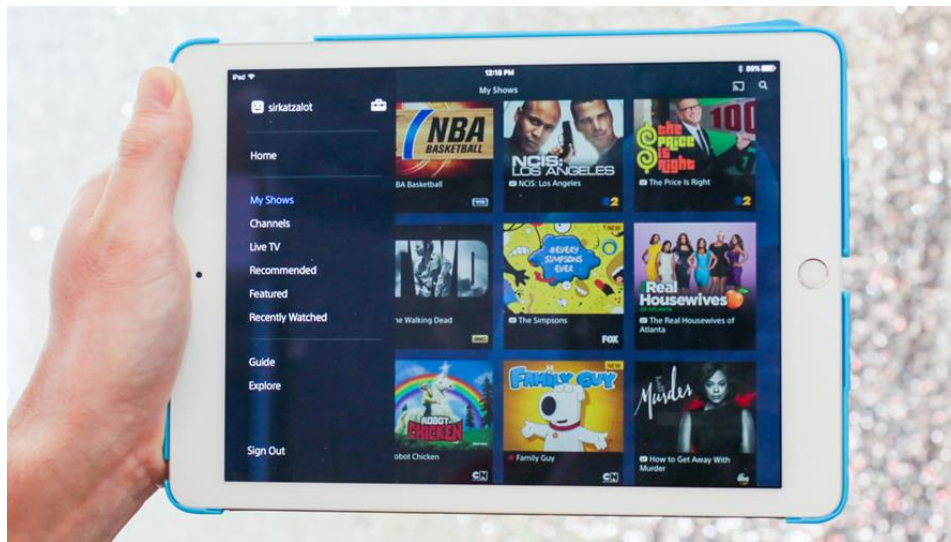
#### What mobile devices can use the PlayStation™Vue Mobile app?

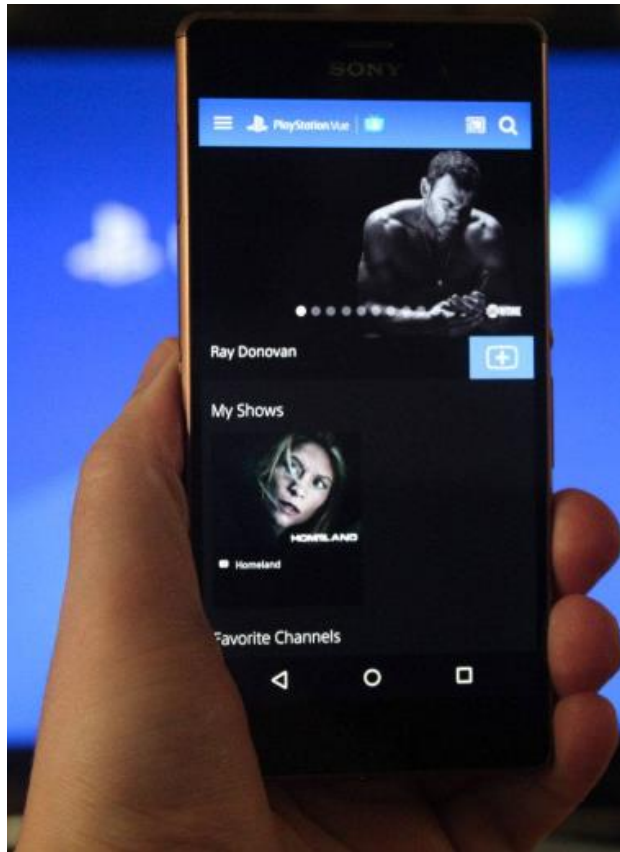
You can install PlayStation™Vue Mobile on the following mobile devices:

**iOS:** iPad Mini 1st Gen or later, iPad2 or later running iOS 7.0 or iOS 8.0, iPhone 5 or later, iPod Touch 4th Gen or later.

**Android:** Android phones and tablets running Android OS version 4.4 or higher.

**Amazon:** Fire HD6 tablets and above.





51. Sony's PlayStation Vue service in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android includes a wireless receiver for receiving a play list from the digital video recorder. For example, the PlayStation Vue Mobile App for iOS and/or Android runs on an iOS-compatible device (*e.g.*, an iPhone or iPad) or Android-compatible device (*e.g.*, a Sony Xperia Z4 tablet or Sony Xperia XZ smartphone), which includes one or more wireless receivers (*e.g.*, a Wi-Fi transceiver), *e.g.*, as described below. *FAQ, PLAYSTATION VUE*, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017); *iPhone 6 – Technical Specifications*, APPLE, [https://support.apple.com/kb/sp705?locale=en\\_US](https://support.apple.com/kb/sp705?locale=en_US) (last visited Feb. 23, 2017); *Xperia XZ Product Specifications*, SONY MOBILE COMMUNICATIONS, <https://www.sonymobile.com/global-en/products/phones/xperia-xz/specifications/> (last visited Mar. 2, 2017); *Sony PlayStation Vue Review*, CNET, <https://www.cnet.com/products/sony-playstation-vue/2/> (last visited Feb. 23, 2017); *Sony Adds Sub-Profile Creation to PlayStation Vue Mobile*, ANDROID HEADLINES, <https://www.androidheadlines.com/2017/02/sony-adds-sub-profile-creation-playstation-vue-mobile.html> (last visited Mar. 2, 2017).



### What iOS models support PlayStation™Vue Mobile?

You can install PlayStation™Vue Mobile on iPad Mini 1<sup>st</sup> Gen or later, iPad 2 or later running iOS 7.0 or iOS 8.0, iPhone 5 or later, iPod Touch 4<sup>th</sup> Gen or later.

### What mobile devices can use the PlayStation™Vue Mobile app?

You can install PlayStation™Vue Mobile on the following mobile devices:

<b>iOS:</b> iPad Mini 1st Gen or later, iPad2 or later running iOS 7.0 or iOS 8.0, iPhone 5 or later, iPod Touch 4th Gen or later.	<b>Android:</b> Android phones and tablets running Android OS version 4.4 or higher.	<b>Amazon:</b> Fire HD6 tablets and above.
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### — What mobile devices can use the PlayStation™Vue Mobile app?

You can install PlayStation™Vue Mobile on the following mobile devices:

- **iOS:** iPad Mini 1st Gen or later, iPad2 or later running iOS 7.0 or iOS 8.0, iPhone 5 or later, iPod Touch 4th Gen or later.
- **Android:** Android phones and tablets running Android OS version 4.4 or higher.
- **Amazon:** Fire HD6 tablets and above.

### Where can I use PlayStation™Vue?

PlayStation™Vue is available for use inside your home at the location you activated your subscription. This is called your "home" location, defined by the network IP address you used to sign into PlayStation™Vue for the first time.

You cannot use your credentials on a friend's PlayStation device. Attempting to stream PlayStation™Vue outside of your "home" location can result in the blocking of service to your account.

With PlayStation™Vue Mobile on iOS devices, you can stream select channels outside the home, or stream directly to your TV via Google Chromecast. Please see the [Supported Device FAQs](#) for more information on PlayStation™Vue Mobile and PlayStation™Vue on Google Chromecast

### Are any features disabled outside of the home on PlayStation™Vue Mobile on iOS?

Outside of the home, you will not be able to watch any show on PlayStation™Vue Mobile that has been recorded to My Shows as "DVR". You can, however, view your My Shows library and add programs to My Shows outside of the home, but the play button for any DVR'd show in the library will be disabled. Any "On Demand" show added to your My Shows library will be available for out-of-home viewing.

**Cellular and Wireless**

- **Model A1549 (GSM)\* / Model A1522 (GSM)\***

- UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100 MHz)
- GSM/EDGE (850, 900, 1800, 1900 MHz)
- LTE (Bands 1, 2, 3, 4, 5, 7, 8, 13, 17, 18, 19, 20, 25, 26, 28, 29)

- **Model A1549 (CDMA)\* / Model A1522 (CDMA)\***

- CDMA EV-DO Rev. A and Rev. B (800, 1700/2100, 1900, 2100 MHz)
- UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100 MHz)
- GSM/EDGE (850, 900, 1800, 1900 MHz)
- LTE (Bands 1, 2, 3, 4, 5, 7, 8, 13, 17, 18, 19, 20, 25, 26, 28, 29)

- **Model A1586\* / Model A1524\***

- CDMA EV-DO Rev. A and Rev. B (800, 1700/2100, 1900, 2100 MHz)
- UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100 MHz)
- TD-SCDMA 1900 (F), 2000 (A)
- GSM/EDGE (850, 900, 1800, 1900 MHz)
- FDD-LTE (Bands 1, 2, 3, 4, 5, 7, 8, 13, 17, 18, 19, 20, 25, 26, 28, 29)
- TD-LTE (Bands 38, 39, 40, 41)

- **All models**

- 802.11a/b/g/n/ac Wi-Fi
- Bluetooth 4.2 wireless technology
- NFC

**Networks**

GSM GPRS/EDGE (2G)  
UMTS HSPA+ (3G)

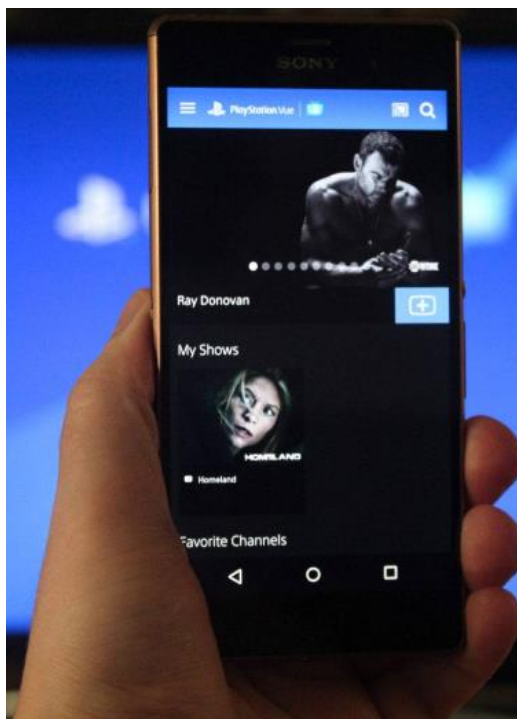
LTE (4G) Cat 9

**Connectivity**

A-GNSS (GPS + GLONASS)\*\*  
Wi-Fi Miracast  
Bluetooth® 4.2 wireless technology

DLNA Certified®  
Google Cast™  
NFC





52. Sony's PlayStation Vue service in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android includes a play list that comprises television programs previously recorded by the digital video recorder. For example, Sony's PlayStation Vue Mobile App for iOS and/or Android allows the user to browse the "My Shows" list, which includes programs previously recorded in the cloud by the digital video recorder, *e.g.*, as displayed below. *FAQ, PLAYSTATION VUE*, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017); *Sony PlayStation Vue Review*, CNET, <https://www.cnet.com/products/sony-playstation-vue/2/> (last visited Feb. 23, 2017); *Sony Adds Sub-Profile Creation to PlayStation Vue Mobile*, ANDROID HEADLINES, <https://www.androidheadlines.com/2017/02/sony-adds-sub-profile-creation-playstation-vue-mobile.html> (last visited Mar. 2, 2017).

#### Where can I use PlayStation™Vue?

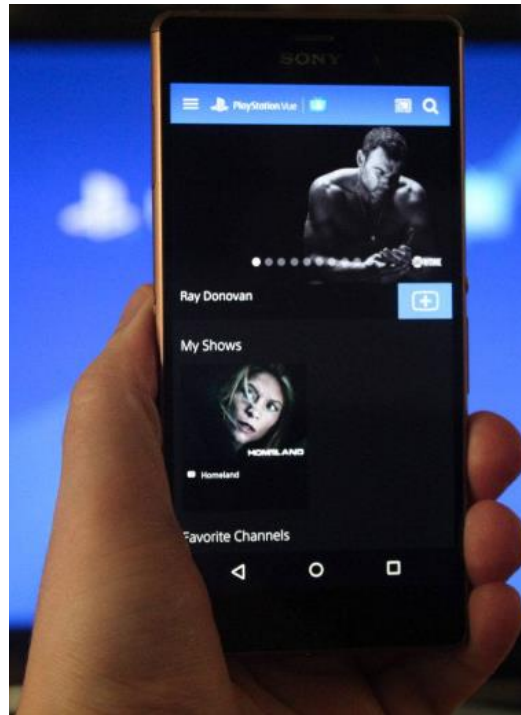
PlayStation™Vue is available for use inside your home at the location you activated your subscription. This is called your "home" location, defined by the network IP address you used to sign into PlayStation™Vue for the first time.

You cannot use your credentials on a friend's PlayStation device. Attempting to stream PlayStation™Vue outside of your "home" location can result in the blocking of service to your account.

With PlayStation™Vue Mobile on iOS devices, you can stream select channels outside the home, or stream directly to your TV via Google Chromecast. Please see the [Supported Device FAQs](#) for more information on PlayStation™Vue Mobile and PlayStation™Vue on Google Chromecast.

#### Are any features disabled outside of the home on PlayStation™Vue Mobile on iOS?

Outside of the home, you will not be able to watch any show on PlayStation™Vue Mobile that has been recorded to My Shows as "DVR". You can, however, view your My Shows library and add programs to My Shows outside of the home, but the play button for any DVR'd show in the library will be disabled. Any "On Demand" show added to your My Shows library will be available for out-of-home viewing.



53. Sony's PlayStation Vue service in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android includes an integrated display screen for displaying the play list to a user and a plurality of user controls for controlling the digital video recorder. For example, the Sony PlayStation Vue Mobile App for iOS runs on an iOS-compatible device (*e.g.*, an iPhone or iPad) or Android-compatible device (*e.g.*, a Sony Xperia Z4 tablet or Sony Xperia XZ smartphone), which includes a display screen for displaying the list of "My Shows" to the user and receiving various user commands for, *e.g.*, controlling the DVR (*e.g.*, marking additional shows to be

1 included in "My Shows"), *e.g.*, as displayed below. *FAQ*, PLAYSTATION VUE,  
 2 <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017); *iPhone 7 Tech*  
 3 *Specs*, APPLE, <http://www.apple.com/iphone-7/specs/> (last visited Feb. 23, 2107); Xperia XZ  
 4 Product Specifications, SONY MOBILE COMMUNICATIONS, [https://www.sonymobile.com/global-](https://www.sonymobile.com/global-en/products/phones/xperia-xz/specifications/)  
 5 [en/products/phones/xperia-xz/specifications/](https://www.sonymobile.com/global-en/products/phones/xperia-xz/specifications/) (last visited Mar. 2, 2017); *Sony PlayStation Vue*  
 6 *Review*, CNET, <https://www.cnet.com/products/sony-playstation-vue/2/> (last visited Feb. 23, 2017);  
 7 *Sony Adds Sub-Profile Creation to PlayStation Vue Mobile*, ANDROID HEADLINES,  
 8 [https://www.androidheadlines.com/2017/02/sony-adds-sub-profile-creation-playstation-vue-](https://www.androidheadlines.com/2017/02/sony-adds-sub-profile-creation-playstation-vue-mobile.html)  
 9 [mobile.html](https://www.androidheadlines.com/2017/02/sony-adds-sub-profile-creation-playstation-vue-mobile.html) (last visited Mar. 2, 2017).

#### Where can I use PlayStation™Vue?

PlayStation™Vue is available for use inside your home at the location you activated your subscription. This is called your "home" location, defined by the network IP address you used to sign into PlayStation™Vue for the first time.

You cannot use your credentials on a friend's PlayStation device. Attempting to stream PlayStation™Vue outside of your "home" location can result in the blocking of service to your account.

With PlayStation™Vue Mobile on iOS devices, you can stream select channels outside the home, or stream directly to your TV via Google Chromecast. Please see the [Supported Device FAQs](#) for more information on PlayStation™Vue Mobile and PlayStation™Vue on Google Chromecast

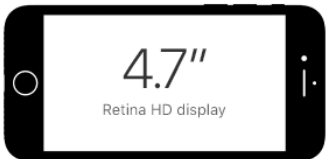
#### Are any features disabled outside of the home on PlayStation™Vue Mobile on iOS?

Outside of the home, you will not be able to watch any show on PlayStation™Vue Mobile that has been recorded to My Shows as "DVR". You can, however, view your My Shows library and add programs to My Shows outside of the home, but the play button for any DVR'd show in the library will be disabled. Any "On Demand" show added to your My Shows library will be available for out-of-home viewing.

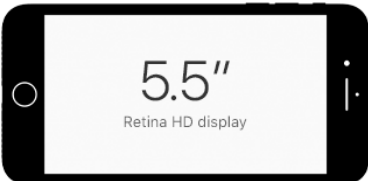
iPhone 7

Overview iOS Tech Specs Buy

Display



4.7"  
Retina HD display



5.5"  
Retina HD display

Retina HD display	Retina HD display
4.7-inch (diagonal) LED-backlit widescreen	5.5-inch (diagonal) LED-backlit widescreen
Multi-Touch display with IPS technology	Multi-Touch display with IPS technology
1334-by-750-pixel resolution at 326 ppi	1920-by-1080-pixel resolution at 401 ppi
1400:1 contrast ratio (typical)	1300:1 contrast ratio (typical)

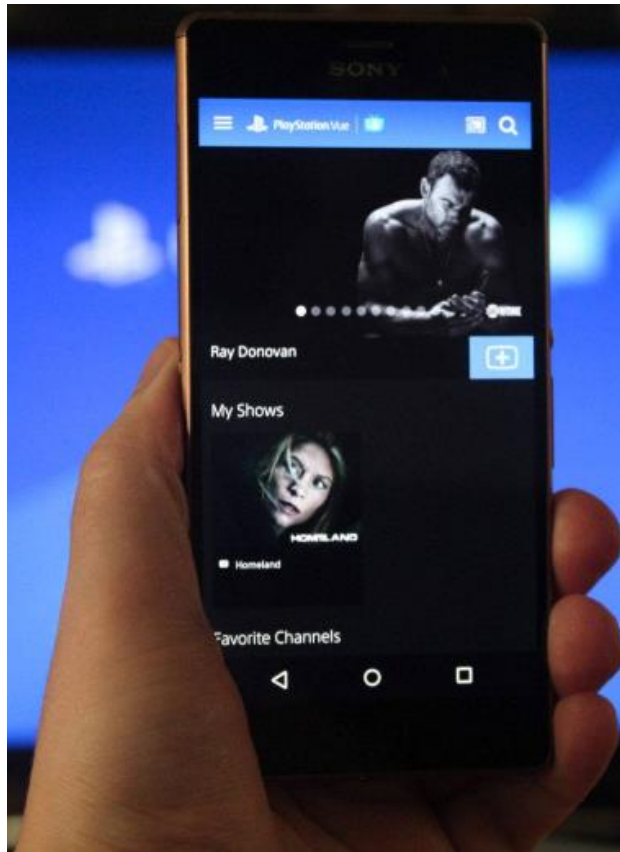
#### Display and design

5.2" Full HD 1080p  
TRILUMINOS™ display for mobile

X-Reality® for mobile picture engine  
Dynamic Contrast Enhancement







54. Sony's PlayStation Vue service in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android has at least one user control for receiving a selection of a television program from the play list displayed on the integrated display screen. For example, the Sony PlayStation Vue Mobile App for iOS runs on an iOS-compatible device (*e.g.*, an iPhone or iPad) or Android-compatible device (*e.g.*, a Sony Xperia Z4 tablet or Sony Xperia XZ smartphone), which includes a display screen for receiving various user commands for, *e.g.*, controlling the DVR and/or watching a television program via the PlayStation Vue Mobile app, *e.g.*, as displayed below. *FAQ, PLAYSTATION VUE*, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017); *Sony PlayStation Vue Review*, CNET, <https://www.cnet.com/products/sony-playstation-vue/2/> (last visited Feb. 23, 2017); *Sony Adds Sub-Profile Creation to PlayStation Vue Mobile*, ANDROID HEADLINES, <https://www.androidheadlines.com/2017/02/sony-adds-sub-profile-creation-playstation-vue-mobile.html> (last visited Mar. 2, 2017)..



### Where can I use PlayStation™Vue?

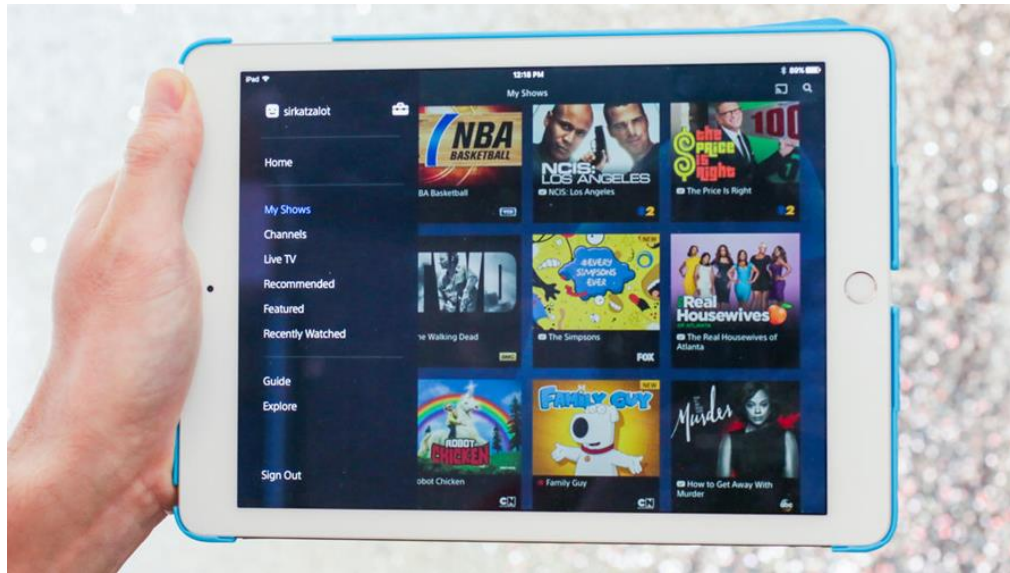
PlayStation™Vue is available for use inside your home at the location you activated your subscription. This is called your "home" location, defined by the network IP address you used to sign into PlayStation™Vue for the first time.

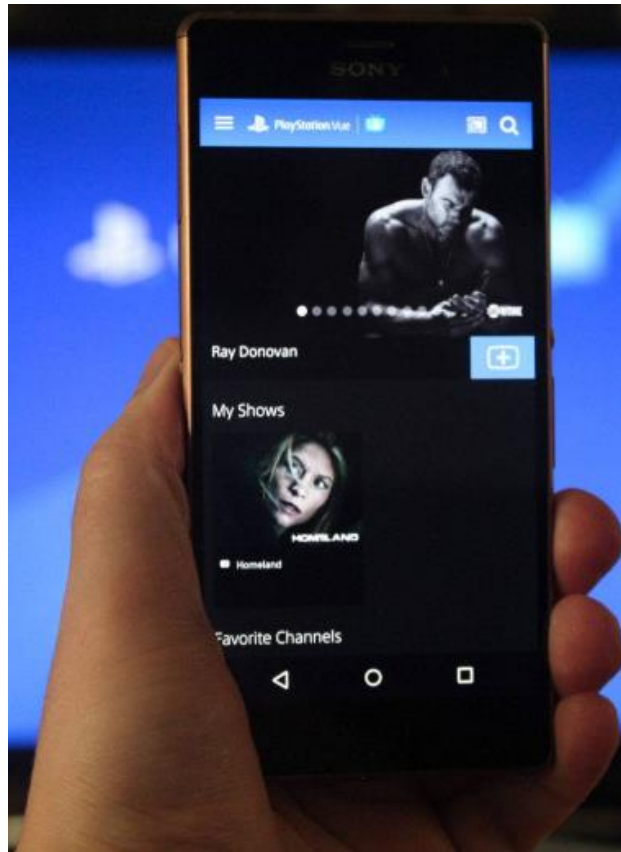
You cannot use your credentials on a friend's PlayStation device. Attempting to stream PlayStation™Vue outside of your "home" location can result in the blocking of service to your account.

With PlayStation™Vue Mobile on iOS devices, you can stream select channels outside the home, or stream directly to your TV via Google Chromecast. Please see the [Supported Device FAQs](#) for more information on PlayStation™Vue Mobile and PlayStation™Vue on Google Chromecast

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Outside of the home, you will not be able to watch any show on PlayStation™Vue Mobile that has been recorded to My Shows as "DVR". You can, however, view your My Shows library and add programs to My Shows outside of the home, but the play button for any DVR'd show in the library will be disabled. Any "On Demand" show added to your My Shows library will be available for out-of-home viewing.





55. Sony's PlayStation Vue service in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android has a wireless transmitter for transmitting an indication of the selected television program to initiate playback of the selected television program. For example, the Sony PlayStation Vue Mobile App for iOS runs on an iOS-compatible device (*e.g.*, an iPhone or iPad) or Android-compatible device (*e.g.*, a Sony Xperia Z4 tablet or Sony Xperia XZ smartphone), which includes a wireless transmitter (*e.g.*, a Wi-Fi transceiver) for transmitting an indication of the selected television program to initiate playback of the selected television program, *e.g.*, as described below. *FAQ*, PLAYSTATION VUE, <https://www.playstation.com/en-us/network/vue/faq/> (last visited Feb. 22, 2017); *iPhone 6 – Technical Specifications*, APPLE, [https://support.apple.com/kb/sp705?locale=en\\_US](https://support.apple.com/kb/sp705?locale=en_US) (last visited Feb. 23, 2017).

### Where can I use PlayStation™Vue?

PlayStation™Vue is available for use inside your home at the location you activated your subscription. This is called your "home" location, defined by the network IP address you used to sign into PlayStation™Vue for the first time.

You cannot use your credentials on a friend's PlayStation device. Attempting to stream PlayStation™Vue outside of your "home" location can result in the blocking of service to your account.

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## Cellular and Wireless

### ▪ Model A1549 (GSM)\*/ Model A1522 (GSM)\*

- UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100 MHz)
- GSM/EDGE (850, 900, 1800, 1900 MHz)
- LTE (Bands 1, 2, 3, 4, 5, 7, 8, 13, 17, 18, 19, 20, 25, 26, 28, 29)

### ▪ Model A1549 (CDMA)\*/ Model A1522 (CDMA)\*

- CDMA EV-DO Rev. A and Rev. B (800, 1700/2100, 1900, 2100 MHz)
- UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100 MHz)
- GSM/EDGE (850, 900, 1800, 1900 MHz)
- LTE (Bands 1, 2, 3, 4, 5, 7, 8, 13, 17, 18, 19, 20, 25, 26, 28, 29)

### Model A1586\*/ Model A1524\*

- CDMA EV-DO Rev. A and Rev. B (800, 1700/2100, 1900, 2100 MHz)
- UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100 MHz)
- TD-SCDMA 1900 (F), 2000 (A)
- GSM/EDGE (850, 900, 1800, 1900 MHz)
- FDD-LTE (Bands 1, 2, 3, 4, 5, 7, 8, 13, 17, 18, 19, 20, 25, 26, 28, 29)
- TD-LTE (Bands 38, 39, 40, 41)

### ▪ All models

- 802.11a/b/g/n/ac Wi-Fi
- Bluetooth 4.2 wireless technology
- NFC

1 2 3	Networks	GSM GPRS/EDGE (2G) UMTS HSPA+ (3G)	LTE (4G) Cat 9
4 5	Connectivity	A-GNSS (GPS + GLONASS)** Wi-Fi Miracast Bluetooth® 4.2 wireless technology	DLNA Certified® Google Cast™ NFC

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56. Sony and its customers and/or end-users have performed at least the method of Claim 1 of the '156 patent within the United States, thereby each directly infringing under 35 U.S.C. § 271(a).

57. By (i) configuring PlayStation Vue and/or PlayStation Vue Mobile App for iOS and/or Android to operate in a manner that Sony knows infringes at least Claim 1 of the '156 patent, (ii) encouraging customers and/or end-users to use the PlayStation Vue and/or Sony's PlayStation Vue Mobile App for iOS and/or Android in a manner that Sony knows infringes at least Claim 1 of the '156 patent, and/or (iii) making, using, selling, offering for sale, and/or importing Android-compatible tablets and/or smartphones which support Sony PlayStation Vue Mobile for Android, Sony is inducing infringement of at least Claim 1 of the '156 patent by its customers and/or end-users in violation of the 35 U.S.C. § 271(b). Sony's active inducement of infringement of at least Claim 1 of the '156 patent includes, *e.g.*, actively and knowingly aiding and abetting others (including Sony's customers and/or end-users) through activities such as marketing the PlayStation Vue Mobile App for iOS and/or Android and/or Android-compatible smartphones and tablets, and/or creating and/or distributing instruction materials on the use of Sony's PlayStation Vue Mobile App for iOS and/or Android, with the specific intent to induce others to make, use, sell, offer for sale, and/or import into the United States, without license or authorization from ARRIS, Sony's PlayStation Vue in connection with at least Sony's PlayStation Vue Mobile App for iOS and/or Android. For example, Sony's marketing literature touts the benefits of using Sony's PlayStation Vue Mobile App for iOS and/or Android to control PlayStation Vue, and such use falls within the scope of at least Claim 1 of the '156 patent.

58. Sony contributes to the infringement of the '156 patent by others, including its customers and/or end-users who directly infringe at least Claim 1 of the '156 patent, under 35

1 U.S.C. § 271(c). Acts by Sony that contribute to the infringement of others include, *e.g.*, making,  
2 using, selling, offering for sale, and/or importing into the United States Sony's accused PlayStation  
3 Vue service, including at least the PlayStation Vue Mobile App for iOS and/or Android, knowing  
4 the same to be especially made or especially adapted for use in infringing at least Claim 1 of the  
5 '156 patent. Sony's PlayStation Vue service, including at least the PlayStation Vue Mobile App for  
6 iOS and/or Android, is not a staple article of commerce suitable for substantial noninfringing use.

7 59. Sony has knowledge of the '156 patent at least as of filing and/or service of the  
8 complaint. Since at least as early as the filing and/or service of this complaint, Sony's infringement  
9 has been willful.

10 60. Despite Sony's knowledge of and notice of the '156 patent and its ongoing  
11 infringement, Sony continues to manufacture, use, sell, offer for sale, and/or import PlayStation  
12 Vue and/or one or more components thereof, Sony's PlayStation Vue Mobile App for iOS and/or  
13 Android, and Sony's Android-compatible smartphones and tablets in a manner that infringes the  
14 '156 patent, and continues to produce and disseminate promotional and marketing materials,  
15 supporting materials, instructions, and/or technical information related to the infringing aspects of  
16 PlayStation Vue, Sony's PlayStation Vue Mobile App for iOS and/or Android, and/or Sony's  
17 Android-compatible smartphones and tablets. Sony lacks a justifiable belief that it does not infringe  
18 the '156 patent, or that the '156 patent is invalid, and has acted recklessly in its infringing activity,  
19 justifying an increase in the damages to be awarded ARRIS up to three times the amount found or  
20 assessed, in accordance with 35 U.S.C. § 284.

21 61. At least Sony's willful infringement of the '156 patent renders this an exceptional  
22 case, justifying an award to ARRIS of its reasonable attorneys' fees, in accordance with 35 U.S.C.  
23 § 285.

24 62. ARRIS has no adequate remedy at law for Sony's acts of infringement. As a direct  
25 and proximate result of Sony's acts of infringement, ARRIS has suffered and continues to suffer  
26 damages and irreparable harm. Unless Sony's acts of infringement are enjoined by this Court,  
27 ARRIS will continue to be damaged and irreparably harmed.



**COUNT III: INFRINGEMENT OF U.S. PATENT NO. 7,107,532**

63. ARRIS hereby restates and re-alleges the allegations set forth in paragraphs 1 through 28 above as if fully set forth herein.

64. The '532 patent is directed to a method and system for focused navigation within a user interface. For example,

A sequence of cards is stored that graphically represents available options within an information system. In response to a single user action, the sequence of cards is successively displayed within a focus area of the user interface. In response to a subsequent user action, the successive display is discontinued to display a particular card representing a selected option.

*See* '532 patent, Abstract.

65. Sony infringes one or more claims of the '532 patent, either literally or under the doctrine of equivalents, including at least Claims 1 and 26. Sony makes, uses, sells, offers to sell, and/or imports into the United States the Sony Accused XrossMediaBar Products, which meet each and every limitation of at least Claims 1 and 26 of the '532 patent, without ARRIS's license or authority. Non-limiting examples of such infringement are provided below, based on the information currently available to ARRIS.

66. Claim 1 of the '532 patent recites as follows:

1. A method for navigation of a plurality of options within a user interface, the method comprising:

scrolling only visual cards from a first sequence of visual cards representing a first type of option through a spatially-fixed focus area of the user interface, wherein the visual cards of the first sequence are both aligned with and scrolled along a first axis;

enabling scrolling of a particular visual card of the first sequence of visual cards into the focus area; and

scrolling only visual cards from a second sequence of visual cards representing a second type of option through the focus area, wherein the visual cards of the second sequence are both aligned with and scrolled along a second axis, wherein the first axis is perpendicular to the second axis such that the respective visual cards from the first and second sequences are scrolled into the focus area from perpendicular directions, and wherein no visual card of the first sequence is also included in the second sequence.

67. Sony's Accused Products employing at least the XrossMediaBar (or "XMB") user interface satisfy each and every limitation of at least Claim 1. Sony's Accused XrossMediaBar Products provide users with a method for navigation of a plurality of options within a user interface. *See Exploring the XMB*, SONY BRAVIA, <http://docs.esupport.sony.com/referencebook/en/xbr9/pages/tvsettings/xmb01.html> (last visited Feb. 22, 2017). For example, XMB allows users to scroll through the menu options available to them, such as settings, *e.g.*, as displayed below. *Id.*

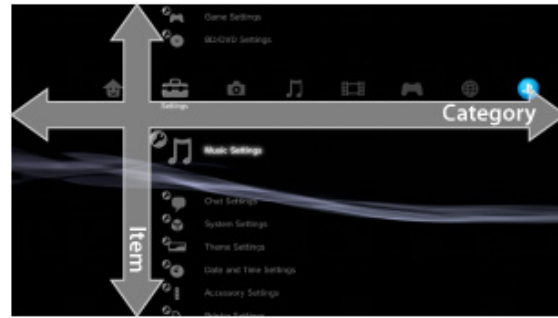


68. Sony's Accused XrossMediaBar Products have a user interface for scrolling only visual cards from a first sequence of visual cards representing a first type of option through a spatially-fixed focus area of the user interface, wherein the visual cards of the first sequence are both aligned with and scrolled along a first axis. For example, Sony's Accused XrossMediaBar Products all utilize a graphical user interface, such as XMB, that allows a user to scroll items along a horizontal axis and/or vertical axis with a button press on a remote or controller into a spatially-fixed focus area, *e.g.*, as displayed below. *About the XMB (XrossMediaBar) Menu*, PS3: PLAYSTATION3 SYSTEM SOFTWARE 4.80 USER'S GUIDE, <http://manuals.playstation.net/document/en/ps3/current/basicoperations/xmb.html#menu> (last visited Feb. 22, 2017).



### Using the XMB™ menu

The PS3™ system includes a user interface called XMB™ (XrossMediaBar). The horizontal row shows system features in categories, and the vertical column shows items that can be performed under each category.



69. Sony's Accused XrossMediaBar Products enable scrolling of a particular visual card of the first sequence of visual cards into the focus area. For example, Sony's Accused XrossMediaBar Products allow users to scroll into the focus area categories of options aligned along a horizontal axis when a user utilizing a remote or a controller presses left or right, *e.g.*, as displayed below. Sean Fallon, *Sony Putting the PS3 Xross Media Bar [sic] Into [sic] Vaio [sic] FW Laptops*, Gizmodo, <http://gizmodo.com/5026742/sony-putting-the-ps3-xross-media-bar-into-vaio-fw-laptops> (last visited Feb. 22, 2017).

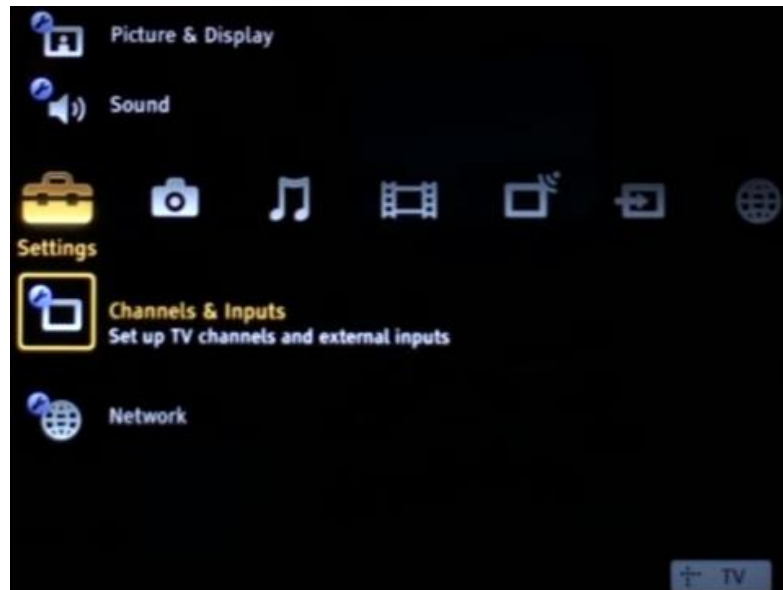


70. Sony's Accused XrossMediaBar Products have a user interface for scrolling only visual cards from a second sequence of visual cards representing a second type of option through the focus area. For example, Sony's Accused XrossMediaBar Products include graphical user interfaces that provide a user with additional options associated with a first menu option (*e.g.*, a

settings option) being further associated with additional options/sub-choices (*e.g.*, sound) that can be scrolled up and down into the focus area, *e.g.*, as displayed below. *Sony BRAVIA XBR9 Xross Media Bar Walkthrough*, Sony Canada Training, <https://www.youtube.com/watch?v=E-F1Ugibo6w> (last visited Feb. 22, 2017).



71. Sony's Accused XrossMediaBar Products have a user interface, such as XMB, wherein the visual cards of the second sequence are both aligned with and scrolled along a second axis. For example, within Sony's Accused XrossMediaBar Products, the additional options associated with a first menu option are accessible upon a user to scrolling up or down (*e.g.*, along a vertical axis) the additional options/sub-choices into the focus area, *e.g.*, as displayed below. *Id.*



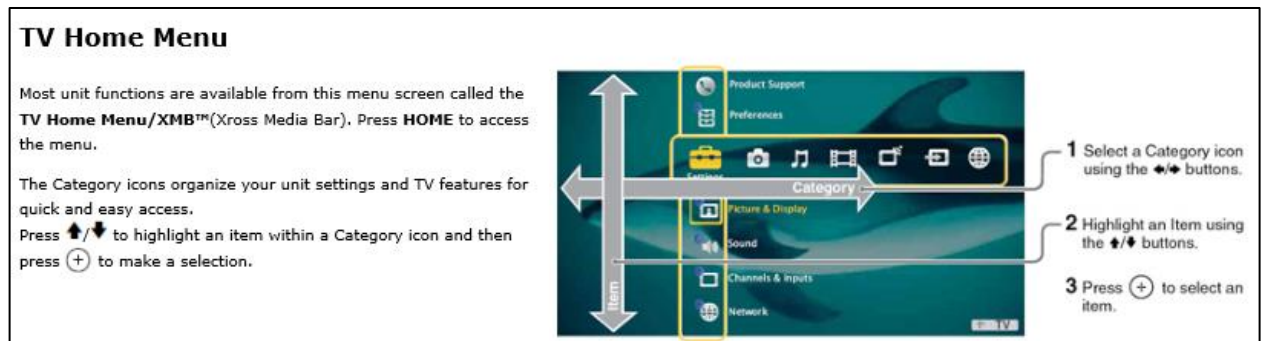
72. Sony's Accused XrossMediaBar Products have user interfaces wherein the first axis is perpendicular to the second axis such that the respective visual cards from the first and second sequences are scrolled into the focus area from perpendicular directions. For example, the user interfaces in Sony's Accused XrossMediaBar Products allow a user to scroll categories of options horizontally into the focus area and then scroll additional options/sub-choices along a second vertical axis into the focus area, *e.g.*, as displayed below. *About the XMB (XrossMediaBar) Menu*, PS3: PLAYSTATION3 SYSTEM SOFTWARE 4.80 USER'S GUIDE, <http://manuals.playstation.net/document/en/ps3/current/basicoperations/xmb.html#menu> (last visited Feb. 22, 2017).

#### Using the XMB™ menu

The PS3™ system includes a user interface called XMB™ (XrossMediaBar). The horizontal row shows system features in categories, and the vertical column shows items that can be performed under each category.



73. Sony's Accused XrossMediaBar Products have user interfaces wherein no visual card of the first sequence is also included in the second sequence. For example, the sub-choices associated with the first menu option in Sony's Accused XrossMediaBar Products do not contain any of the categories from the horizontal axis of menu options, *e.g.*, as displayed below. *TV Home Menu*, SONY BRAVIA, <http://docs.esupport.sony.com/referencebook/en/xbr10/pages/tvsettings/index.html> (last visited Feb. 22, 2017).



74. In view of the foregoing, Sony and/or its customers and/or end-users have performed at least the method of Claim 1 of the '532 patent within the United States, directly infringing under 35 U.S.C. § 271(a).

75. Claim 26 of the '532 patent recites as follows:

26. A system for focused navigation of a plurality of options within a user interface, the system comprising:

a user input detector configured to detect actions of a user; and

a processor configured to scroll only visual cards from a first sequence of visual cards through a spatially-fixed focus area of the user interface in response to a first user command,

wherein the visual cards of the first sequence correspond to a first type of option and are both aligned with and scrolled along a first axis,

wherein the processor is further configured to enable scrolling by a user of a particular visual card of the first sequence of visual cards into the focus area,

wherein the processor is further configured to only scroll visual cards from a second sequence of visual cards through the focus area in response to a second user command,

wherein the visual cards of the second sequence of visual cards correspond to a second type of option and are both aligned with and scrolled along a second axis,

wherein the first axis is perpendicular to the second axis such that the respective visual cards from the first and second sequences are scrolled in perpendicular directions, and

wherein the first and second sequences do not have any visual cards in common.

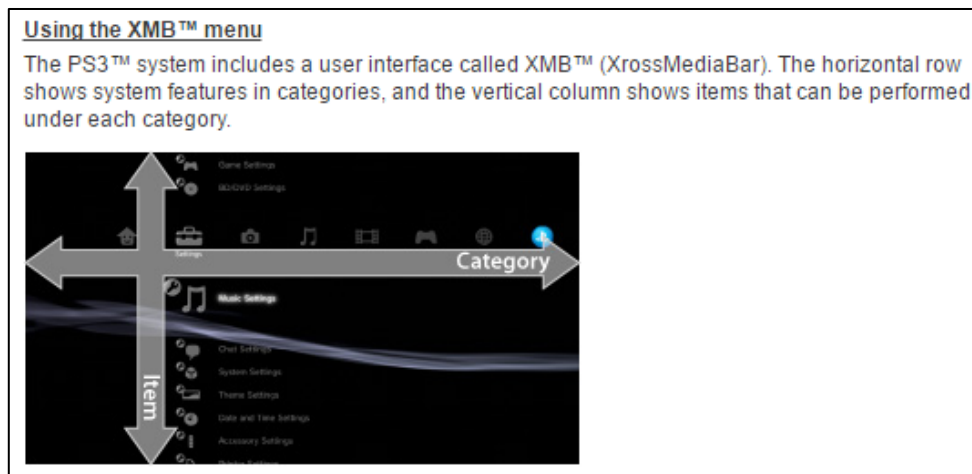
76. Sony's Accused XrossMediaBar Products satisfy each and every limitation of at least Claim 26. Sony's Accused XrossMediaBar Products comprise a system for focused navigation of a plurality of options within a user interface. For example, the Sony's Accused XrossMediaBar Products include the XMB user interface for navigating a plurality of options, *e.g.*, allowing users to scroll through the menu options available to them, such as settings, *e.g.*, as displayed below. *See Exploring the XMB, SONY BRAVIA*, <http://docs.esupport.sony.com/referencebook/en/xbr9/pages/tvsettings/xmb01.html> (last visited Feb. 22, 2017).



77. Sony's Accused XrossMediaBar Products include a user input detector configured to detect actions of a user. For example, certain of Sony's Accused XrossMediaBar Products include a remote control that detects a user's inputs, and other of Sony's Accused XrossMediaBar Products include a touch-sensitive display screen for detecting various user commands.

78. Sony's Accused XrossMediaBar Products have a processor configured to scroll only visual cards from a first sequence of visual cards through a spatially-fixed focus area of the user interface in response to a first user command. For example, on information and belief, Sony's

Accused XrossMediaBar Products include a hardware and/or software processor, *e.g.*, a microprocessor, that enables the operation of the user interface. In addition, Sony's Accused XrossMediaBar Products all utilize a graphical user interface, such as XMB, that allows a user to scroll visual cards from a first sequence through a spatially-fixed focus area along a horizontal axis and/or vertical axis with a button press on a remote or controller, *e.g.*, as displayed below. *About the XMB (XrossMediaBar) Menu*, PS3: PLAYSTATION3 SYSTEM SOFTWARE 4.80 USER'S GUIDE, <http://manuals.playstation.net/document/en/ps3/current/basicoperations/xmb.html#menu> (last visited Feb. 22, 2017).



79. Sony's Accused XrossMediaBar Products have a user interface in which the visual cards of the first sequence correspond to a first type of option and are both aligned with and scrolled along a first axis. For example, Sony's Accused XrossMediaBar Products allow users to scroll categories of options aligned along a horizontal axis through a spatially-fixed focus area when a user utilizing a remote or a controller presses left or right, *e.g.*, as displayed below. Sean Fallon, *Sony Putting the PS3 Xross Media Bar [sic] Into [sic] Vaio [sic] FW Laptops*, Gizmodo, <http://gizmodo.com/5026742/sony-putting-the-ps3-xross-media-bar-into-vaio-fw-laptops> (last visited Feb. 22, 2017).



80. Sony's Accused XrossMediaBar Products have a processor configured to enable scrolling by a user of a particular visual card of the first sequence of visual cards into the focus area. For example, Sony's Accused XrossMediaBar Products include a hardware and/or software processor, *e.g.*, a microprocessor, that enables the operation of the user interface. In addition, Sony's Accused XrossMediaBar Products allow users to scroll a particular option from the first sequence of cards, highlighting an option by bringing it into the focus area, *e.g.*, as displayed below. *About the XMB (XrossMediaBar) Menu*, PS3: PLAYSTATION3 SYSTEM SOFTWARE 4.80 USER'S GUIDE, <http://manuals.playstation.net/document/en/ps3/current/basicoperations/xmb.html#menu> (last visited Feb. 22, 2017).

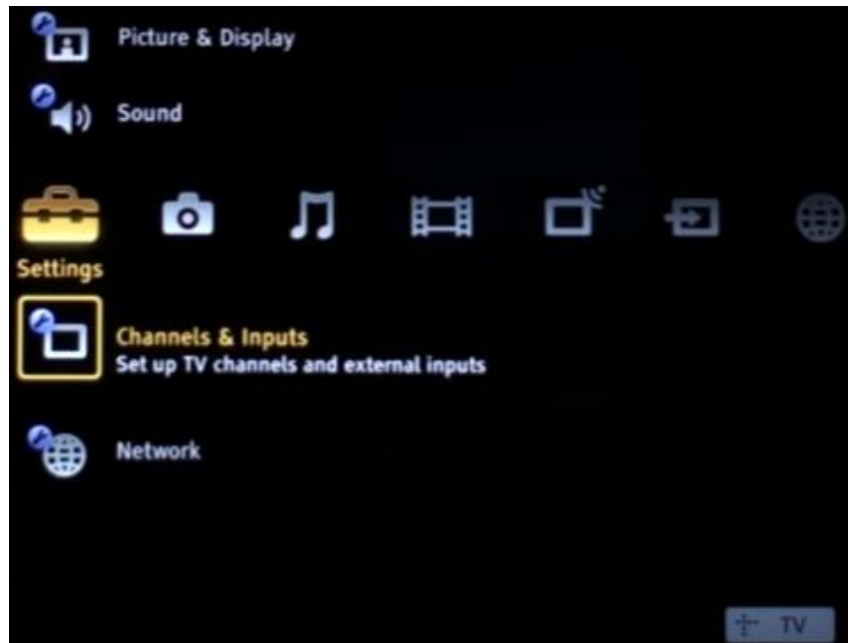




81. Sony's Accused XrossMediaBar Products have a processor configured to only scroll visual cards from a second sequence of visual cards through the focus area in response to a second user command. For example, Sony's Accused XrossMediaBar Products include a hardware and/or software processor, *e.g.*, a microprocessor, that enables the operation of the user interface. In addition, Sony's Accused XrossMediaBar Products include graphical user interfaces that provide a user with additional options associated with a first menu option (*e.g.*, a settings button) being further associated with additional options/sub-choices (*e.g.*, sound) that can be scrolled up and down through the focus area, *e.g.*, as displayed below. *Sony BRAVIA XBR9 Xross Media Bar Walkthrough*, Sony Canada Training, <https://www.youtube.com/watch?v=E-F1Ugibo6w> (last visited Feb. 22, 2017).



82. Sony's Accused XrossMediaBar Products contain a user interface in which the visual cards of the second sequence of visual cards correspond to a second type of option and are both aligned with and scrolled along a second axis. For example, within Sony's Accused XrossMediaBar Products, the additional options associated with a first menu option are scrolled up or down (*e.g.*, along a vertical axis) to select the additional options/sub-choices, *e.g.*, as displayed below. *Id.*



83. Sony's Accused XrossMediaBar Products have a user interface in which the first axis is perpendicular to the second axis such that the respective visual cards from the first and second sequences are scrolled in perpendicular directions. For example, the user interfaces in Sony's Accused XrossMediaBar Products allow users to scroll categories of options aligned along a horizontal axis through a spatially-fixed focus area when a user utilizing a remote or a controller presses left or right, choose a menu option that has associated sub-choices which can be scrolled along a second vertical axis, *e.g.*, as displayed below. *About the XMB (XrossMediaBar) Menu*, PS3: PLAYSTATION3 SYSTEM SOFTWARE 4.80 USER'S GUIDE, <http://manuals.playstation.net/document/en/ps3/current/basicoperations/xmb.html#menu> (last visited Feb. 22, 2017).

#### Using the XMB™ menu

The PS3™ system includes a user interface called XMB™ (XrossMediaBar). The horizontal row shows system features in categories, and the vertical column shows items that can be performed under each category.





1 the graphical user interface of the Accused XrossMediaBar Products, such as the PlayStation 3, that  
2 falls within the scope of at least Claims 1 and 26 of the '532 patent.

3 87. Sony contributes to the infringement of the '532 patent by others, including its  
4 customers and/or end-users who directly infringe at least Claims 1 and 26 of the '532 patent, under  
5 35 U.S.C. § 271(c). Acts by Sony that contribute to the infringement of others include, *e.g.*,  
6 making, using, selling, offering for sale, and/or importing into the United States Sony's Accused  
7 XrossMediaBar Products, including at least the XrossMediaBar user interface, knowing the same to  
8 be especially made or especially adapted for use in infringing at least Claims 1 and 26 of the '532  
9 patent. Sony's Accused XrossMediaBar Products, including at least the XrossMediaBar user  
10 interface, are not staple articles of commerce suitable for substantial noninfringing use.

11 88. The '532 patent was brought to Sony's attention during prosecution of Sony's own  
12 patents (U.S. Patent Nos. 7,614,010, 7,765,569, and 8,497,942) and published patent applications  
13 (U.S. Patent App. Pubs. 2006/0015903, 2007/0143713, and 2012/0257108). Sony has continued its  
14 infringement of the '532 patent with full knowledge of that infringement.

15 89. Alternatively, Sony has knowledge of the '532 patent at least as of filing and/or  
16 service of the complaint. Since at least as early as the filing and/or service of this complaint, Sony's  
17 infringement has been willful.

18 90. Despite Sony's knowledge of and notice of the '532 patent and its ongoing  
19 infringement, on information and belief, Sony continues to manufacture, use, sell, offer for sale,  
20 and/or import the Accused XrossMediaBar Products in a manner that infringes the '532 patent, and  
21 continues to produce and disseminate promotional and marketing materials, supporting materials,  
22 instructions, and/or technical information related to the infringing aspects of Accused  
23 XrossMediaBar Products. Sony lacks a justifiable belief that it does not infringe the '532 patent, or  
24 that the '532 patent is invalid, and has acted recklessly in its infringing activity, justifying an  
25 increase in the damages to be awarded ARRIS up to three times the amount found or assessed, in  
26 accordance with 35 U.S.C. § 284.

1           91.     At least Sony's willful infringement of the '532 patent renders this an exceptional  
2 case, justifying an award to ARRIS of its reasonable attorneys' fees, in accordance with 35 U.S.C. §  
3 285.

4           92.     ARRIS has no adequate remedy at law for Sony's acts of infringement. As a direct  
5 and proximate result of Sony's acts of infringement, ARRIS has suffered and continues to suffer  
6 damages and irreparable harm. Unless Sony's acts of infringement are enjoined by this Court,  
7 ARRIS will continue to be damaged and irreparably harmed.

8                   **COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,113,502**

9           93.     ARRIS hereby restates and re-alleges the allegations set forth in paragraphs 1  
10 through 28 above as if fully set forth herein.

11           94.     The '502 patent is directed to "methods and systems for managing broadband  
12 multimedia communication." '502 patent, 1:18-20. For example,

13                 Broadband multimedia system including a communication bus, a router, connected  
14 to the communication bus and further between a plurality of media sources and a  
15 plurality of network transmitters, a session manager, connected to communication  
16 bus, where the session manager provides routing instructions to the router, for  
directing data received from the media sources to the network transmitters for  
transmitting over a broadband network.

17           *See* '502 patent, Abstract.

18           95.     Sony infringes one or more claims of the '502 patent, either literally or under the  
19 doctrine of equivalents, including at least Claim 1. Sony makes, uses, sells, offers to sell, and/or  
20 imports into the United States the PlayStation Vue service, which meets each and every limitation  
21 of at least Claim 1 of the '502 patent, without ARRIS's license or authority. Non-limiting examples  
22 of such infringement are provided below, based on the information currently available to ARRIS.

23           96.     Claim 1 of the '502 patent recites as follows:

24                 1. Broadband multimedia system comprising:

25                   a communication bus;

26                   a router, connected to said communication bus and further between a  
27 plurality of media sources and a plurality of network transmitters;



1 a session manager, connected to communication bus, said session manager  
2 providing routing instructions to said router, for directing data received from said  
3 media sources to said network transmitters for transmitting over a broadband  
4 network;

5 and a policy database, connected to said communication bus, said session  
6 manager producing said routing instructions at least according to policy  
7 information retrieved from said policy database.

8 97. On information and belief, the PlayStation Vue service satisfies each and every  
9 limitation of at least Claim 1. Sony's PlayStation Vue service is a broadband multimedia system,  
10 which comprises a communication bus. For example, Sony PlayStation Vue's FAQ states that it is  
11 a "TV service that streams **live** TV, movies and sports on a variety of [] devices without a cable or  
12 satellite subscription." *FAQ*, PLAYSTATION VUE, [https://www.playstation.com/en-](https://www.playstation.com/en-us/network/vue/faq/)  
13 [us/network/vue/faq/](https://www.playstation.com/en-us/network/vue/faq/) (last visited Feb. 28, 2017) (emphasis in original). Accordingly, on  
14 information and belief, Sony's PlayStation Vue service comprises at least one data center or  
15 comparable facility with servers or comparable devices for receiving, storing, processing, and  
16 transmitting multimedia data, such as television content. As such, Sony's PlayStation Vue service  
17 necessitates a communication bus to receive, store, and retrieve video content and transmit it to  
18 appropriate end-user devices, *e.g.*, an internal network within Sony's data center(s) for connecting  
19 servers and/or other devices or a data path within an individual server or other device.

20 98. On information and belief, Sony's PlayStation Vue service includes a router,  
21 connected to said communication bus and further between a plurality of media sources and a  
22 plurality of network transmitters. For example, on information and belief, Sony's PlayStation Vue  
23 receives and stores content from numerous channels and/or various broadcasters using servers or  
24 comparable devices to store the data received at its data center(s). By way of further example, on  
25 information and belief, Sony's PlayStation Vue service comprises, *e.g.*, servers to transmit  
26 multimedia content over a network to end-users' devices. By way of further example, on  
27 information and belief, Sony's PlayStation Vue service comprises a component or components,  
28 connected to the communications bus and between the media sources and network transmitters,  
which can be configured to receive data from the media sources and direct data to the network  
transmitters for transmitting over a network, *e.g.*, servers and/or load balancers used to determine

1 which servers and data storage devices will be used to provide multimedia data to particular  
2 streaming servers and/or end-user devices.

3 99. On information and belief, Sony's PlayStation Vue service comprises a session  
4 manager, connected to communication bus, said session manager providing routing instructions to  
5 said router, for directing data received from said media sources to said network transmitters for  
6 transmitting over a broadband network. For example, on information and belief, a session manger,  
7 such as, *e.g.*, a server, application, or service, is necessary for Sony's PlayStation Vue service to  
8 provide routing instructions for delivery of content to PlayStation Vue subscribers based on the  
9 customer's subscription and determine if a customer can be provided with particular media, *e.g.*,  
10 determining channel availability based on a user's location, in order to direct data received from  
11 media sources to network transmitters for transmission over a network.

12 100. On information and belief, Sony's PlayStation Vue service comprises a policy  
13 database, connected to said communication bus, said session manager producing said routing  
14 instructions at least according to policy information retrieved from said policy database. For  
15 example, on information and belief, PlayStation Vue service utilizes a session manager which  
16 checks a server or storage device for a variety of criteria, *e.g.*, user's IP address and location, to  
17 determine which servers and/or storage devices will be used to provide multimedia data to  
18 particular streaming servers, *e.g.*, determining a user's ability to view certain channels before  
19 formulating routing instructions for delivery of the user requested content.

20 101. In view of the foregoing, Sony's PlayStation Vue service directly infringes the '502  
21 patent under 35 U.S.C. § 271(a).

22 102. Sony has knowledge of the '502 patent at least as of filing and/or service of this  
23 complaint. Since at least as early as the filing and/or service of this complaint, Sony's infringement  
24 has been willful.

25 103. Despite Sony's knowledge of and notice of the '502 patent and its ongoing  
26 infringement, Sony has continued to manufacture, use, sell, offer for sale, and/or import PlayStation  
27 Vue and/or one or more components thereof in a manner that infringes the '502 patent, and  
28 continues to produce and disseminate promotional and marketing materials, supporting materials,

1 instructions, and/or technical information related to the infringing aspects of PlayStation Vue. Sony  
 2 lacks a justifiable belief that it does not infringe the '502 patent, or that the '502 patent is invalid,  
 3 and has acted recklessly in its infringing activity, justifying an increase in the damages to be  
 4 awarded ARRIS up to three times the amount found or assessed, in accordance with 35 U.S.C.  
 5 § 284.

6 104. At least Sony's willful infringement of the '502 patent renders this an exceptional  
 7 case, justifying an award to ARRIS of its reasonable attorneys' fees, in accordance with 35 U.S.C.  
 8 § 285.

9 105. ARRIS has no adequate remedy at law for Sony's acts of infringement. As a direct  
 10 and proximate result of Sony's acts of infringement, ARRIS has suffered and continues to suffer  
 11 damages and irreparable harm. Unless Sony's acts of infringement are enjoined by this Court,  
 12 ARRIS will continue to be damaged and irreparably harmed.

### 13 **DEMAND FOR JURY TRIAL**

14 ARRIS respectfully requests a trial by jury of any and all issues on which trial by jury is  
 15 available under applicable law.

### 16 **PRAYER FOR RELIEF**

17 WHEREFORE, Plaintiff respectfully requests this Court:

- 18 a. A finding that Sony has directly infringed, induced others to infringe, and/or  
 19 contributorily infringed the Patents-in-Suit;
- 20 b. An award of damages pursuant to 35 U.S.C. § 284 adequate to compensate  
 21 ARRIS for Sony's infringement of the Patents-in-Suit, including both pre- and  
 22 post-judgment interest and costs as fixed by the Court;
- 23 c. A preliminary and/or permanent injunction against Sony and its officers, agents,  
 24 servants, employees, and representatives, and all others in active concert or  
 25 participation with them, from further infringing the Patents-in-Suit;
- 26 d. A finding that Sony's infringement of the Patents-in-Suit has been willful;
- 27 e. An increase in the damages to be awarded to ARRIS of three times the amount  
 28 found by the jury or assessed by the Court;

- 1 f. A declaration that this is an exceptional case within the meaning of 35 U.S.C.  
2 § 285, and a corresponding award of ARRIS's reasonable attorneys' fees  
3 incurred in connection with the litigation; and  
4 g. Any and all other relief to which this Court deems just and proper.  
5

6 Respectfully submitted this 2<sup>nd</sup> day of March, 2017.  
7

8 FISH & RICHARDSON P.C.  
9

10 By: /s/ Michael R. Headley  
11 Michael R. Headley

12 ATTORNEYS FOR PLAINTIFFS  
13 ARRIS ENTERPRISES LLC  
14 ARRIS SOLUTIONS, INC  
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